

Sixth Appellate District

San Jose, California

MONDAY, JULY 10, 2000

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Cottle, P. J.; Elia, J.; Mihara, J.; and Nancy M. Olea, Deputy Clerk.

H019945 PEOPLE v GONZALEZ

Cause called and argued by Joseph Hearst appearing for Appellant and by Martin S. Kaye, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H019719 PEOPLE v TOTARI

Cause called and argued by Norton Tooby appearing for Appellant and by Violet Lee, Deputy Attorney General appearing for Respondent. Cause ordered submitted.

H018221 ESTRADA v DAVIS

Cause called and argued by Bruce R. Finch appearing for Appellant, by Anthony Hanley appearing for Respondent Tankersley, and by Janet Kulig appearing for Respondent Davis. Cause ordered submitted.

H020380 PULNIX AMERICA, INC. v ELMECO, INC.

Cause called and argued by Ronald S. Lemieux appearing for Appellants and by Jonothan Cox appearing for Respondents. Cause ordered submitted. The court recesses until the 1:30 p.m. calendar.

The Court reconvened at 1:30 p.m in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Cottle, P. J.; Elia, J.; Mihara, J.; and Judy Son, Deputy Clerk.

H018721 PEOPLE v. CHAVEZ

Cause called and argued by John Staley appearing for Appellant and by Moona Nandi, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

Sixth Appellate District

San Jose, California

Monday, July 10, 2000 (continued)

H018943 PEOPLE v. MORRIS

Cause called and argued by Joan Isserlis appearing for Appellant and by Catherine A. Rivlin, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H020307 PEOPLE v. GALLEG0

Cause called and argued by Jonathan Grossman appearing for Appellant and by Moona Nandi, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H020499 PEOPLE v. KENNETH B.

Cause called and argued by Carol Bassoni appearing for Appellant and by Moona Nandi, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

Court is adjourned.

TUESDAY, JULY 11, 2000

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Premo, Acting P. J.; Bamattre-Manoukian, J.; Wunderlich, J.; and W. Magsaysay, Deputy Clerk.

H018963 PEOPLE v. TORPY

Cause called and argued by Tamara Holland appearing for Appellant and by Allan Yannow, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H019787 PEOPLE v. HARTLESS

Cause called and argued by Meredith Fahn appearing for Appellant and by Paul Jhin, Certified Law Student, with Gregg E. Zywicke, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

Sixth Appellate District

San Jose, California

Tuesday, July 11, 2000 (continued)

H018961 PEOPLE v. MARTIN

Cause called and argued by Susan Shors appearing for Appellant and by Gregg E. Zywicke, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

Court recesses until 1:30 p.m.

The Court reconvened at 1:30 p.m in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Premo, Acting P. J.; Bamattre-Manoukian, J.; Wunderlich, J.; and Judy Son, Deputy Clerk.

H019957 PEOPLE v. ESPINOZA

Cause called and argued by Alan Siraco appearing for Appellant and by Maryann Aruti, Certified Law Student and Catherine Rivlin, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H019499 PEOPLE v. LEWIS

Cause called and argued by Susan Keiser appearing for Appellant and by Thomas A. Brady, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H019624 PEOPLE v. ROGERS

Cause called and argued by Walter Pyle appearing for Appellant and by John Gordnier, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H019740 PEOPLE v. WALLACE

Cause called and argued by Jean F. Matulis appearing for Appellant and by Susan Duncan Lee, Deputy Attorney General, appearing for Respondent. Cause ordered submitted. Court is adjourned.

Sixth Appellate District

San Jose, California

Tuesday, July 11, 2000 (continued)

H019916 HOFFMAN v. MONTEREY BAY BANK, et al.

The judgment is affirmed. (not published)  
(Cottle, P.J.; We concur: Elia, J., Mihara, J.)  
Filed July 11, 2000

H020423 PEOPLE v. GARCIA

The judgment is affirmed. (not published)  
(Elia, J.; We concur: Cottle, P.J., Mihara, J.)  
Filed July 11, 2000

WEDNESDAY, JULY 12, 2000

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Cottle, P. J.; Premo, J.; Elia, J.; and R.W. Norvelle, Deputy Clerk.

H018103 PEOPLE v. GLASS

H019312 In re GLASS on Habeas Corpus

Cause called and argued by Donald M. Horgan appearing for Appellant and Petitioner and by Stan Helfman, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H020621 SALAZAR v. SUPERIOR COURT OF MONTEREY COUNTY (PEOPLE)

Cause called and argued by Eugene J. Martinez appearing for Petitioner and by David H. Rose, Deputy Attorney General, appearing for Real Party in Interest. Cause ordered submitted. Premo, J. leaves the bench and Mihara, J. takes the bench

H019698 PEOPLE v. WATTS

Cause called and argued by Edward Hazel, Deputy District Attorney, appearing for Appellant and by Michael Kresser appearing for Respondent. Cause ordered submitted.

H019585 MALONE v. GRIMSLEY, et al.

Cause called and argued by Lauren Bolfango appearing for Appellant and by Andrew V. Stearns appearing for Respondent. Cause ordered submitted.

Sixth Appellate District

San Jose, California

Wednesday, July 12, 2000 (continued)

H019680 AMALGAMATED TRANSIT UNION, LOCAL 265, et al. v. SANTA CLARA COUNTY TRANSIT DISTRICT, et al.

Cause called and argued by William J. Flynn appearing for Appellants and by Richard Alan Katzman appearing for Respondents. Cause ordered submitted.

H019659 UNITED FARMWORKERS OF AMERICA, et al. v. DUTRA FARMS, et al.

Cause called and argued by Randolph C. Roeder appearing for Appellant Clint Miller Farms, by Terrence O'Connor appearing for Appellant Dutra Farms, and by Stephen P. Berzon appearing for Respondent. Cause ordered submitted.

Court recesses until 1:30 p.m.

The Court reconvened at 1:30 p.m in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Cottle, P. J.; Elia, J.; Mihara, J.; and Judy Son, Deputy Clerk.

H019013 PEOPLE v. BARNETT

Cause called and argued by Maribeth Halloran appearing for Appellant and by Laurence K. Sullivan, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H019943 PEOPLE v. PETERSON

Cause called and argued by Tania Rose appearing for Appellant and by Richard Rochman, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H020982 MONTEREY COUNTY DEPT. OF SOCIAL SERVICES v. LUSSANE T.

Cause called and argued by Carole Greeley appearing for Appellant and by William K. Rentz, Deputy County Counsel appearing for Respondent. Cause ordered submitted.

Sixth Appellate District

San Jose, California

Wednesday, July 12, 2000 (continued)

H018477 PEOPLE v. MALIK

H021305 In re MALIK on HABEAS CORPUS

Cause called and argued by Randy Baker appearing for Appellant and Petitioner and by Aileen Bunney, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H019672 VALDIVIA v. HERMAN

Cause called and argued by Gregory B. Henry appearing for Appellant and by Tyler Draa appearing for Respondent. Cause ordered submitted. Court is adjourned.

H018611 PEOPLE v. WISHMAN

The judgment is affirmed. (not published)  
(Cottle, P.J.; We concur: Premo, J., Elia, J.)  
Filed July 12, 2000

H020416 PEOPLE v. MA

The judgment is affirmed. (not published)  
(Elia, J.; We concur: Cottle, P.J., Mihara, J.)  
Filed July 12, 2000

H018084 PEOPLE v. FREGOSO, et al.

The judgments are affirmed. (not published)  
(Elia, J.; We concur: Cottle, P.J., Mihara, J.)  
Filed July 12, 2000

H019630 COUNTY OF MONTEREY v. RAMOS; MORGA

By the Court\*:

Appellant's petition for rehearing is denied.  
Filed: July 12, 2000

\*Before Premo, Acting P.J., Bamattre-Manoukian, J. and Wunderlich, J.

Sixth Appellate District

San Jose, California

THURSDAY, JULY 13, 2000

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Bamattre-Manoukian, Acting P. J.; Wunderlich, J.; Mihara, J.; and Nancy M. Olea, Deputy Clerk.

H019256 GRASCH v RHODES

Cause called and argued by Stephen Picone appearing for Appellant and by Robert Anderson appearing for Respondents. Cause ordered submitted.

H019976 PATHFINDERS WAY, et al. v SANTA CLARA SUPERIOR COURT; EYMIL

Cause called and argued by Thomas Mulvhill appearing for Petitioners and by William Faulkner appearing for Real Party in Interest. Cause ordered submitted.

H019973 WEST SHIELD INVESTIGATIONS & SECURITY CONSULTANTS, et al. v SANTA CLARA SUPERIOR COURT & CHARLEEN EYMIL

Cause called and argued by James Moneer appearing for Petitioners and by William Faulkner appearing for Real Party in Interest. Cause ordered submitted.

Court recesses until 1:30 p.m.

The Court reconvened at 1:30 p.m in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Premo, Acting P.J.; Bamattre-Manoukian, J.; Wunderlich, J.; and Jane F. Varize, Deputy Clerk.

H019490 PEOPLE v. CORLEY

Cause called and argued by Janice Brickley appearing for Appellant and by Eric D. Share, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

Sixth Appellate District

San Jose, California

Thursday, July 13, 2000 (continued)

H019628 GARRISON v. THOMAS DUNNION & ASSOCIATES, et al; HORAN  
Cause called and argued by David W. Brown appearing for  
Appellant, James L. Dawson appearing for respondent Dunnion &  
Associates, and Robert E. Arnold for respondent Horan. Cause  
ordered submitted. Court is adjourned.

H019741 MONTEREY COUNTY v. BANUELOS  
H019750 MARRIAGE OF LAZZERONI  
H019751 MARRIAGE OF MORGAN  
H019752 MARRIAGE OF LOPEZ

The orders denying County's motions for a seek-work order  
are reversed. The matters are remanded, and the trial court is  
directed to hear the motions on the merits. Costs for the  
appeals are awarded to County (not published)  
(Premo, Acting P.J.; We concur: Bamattre-Manoukian, J.,  
Wunderlich, J.)  
Filed July 13, 2000

FRIDAY, JULY 14, 2000

H019635 PEOPLE v. RECOTTA  
By the Court\*:

Appellant's petition for rehearing is denied.  
Filed: July 14, 2000  
\*Before Premo, Acting P.J., Bamattre-Manoukian, J. and  
Wunderlich, J.

H018752 NIKKEL v DESERET TRUST

The judgment is reversed. The trial court is directed to  
enter an order denying defendant's motion on the statute of  
limitations issue and reinstating the order in all other  
respects. (not published)  
(Premo, Acting P.J.; We concur: Bamattre-Manoukian, J.,  
Wunderlich, J.)  
Filed July 14, 2000



Sixth Appellate District

San Jose, California

Friday, July 14, 2000 (continued)

H019842 PEOPLE v. GASTELUM

The judgment is affirmed. (not published)  
(Mihara, J.; We concur: Cottle, P.J., Elia, J.)  
Filed July 14, 2000